

1 BARRY J. PORTMAN  
Federal Public Defender  
2 JOHN PAUL REICHMUTH  
Assistant Federal Public Defender  
3 555 - 12th Street  
Suite 650  
4 Oakland, CA 94607-3627  
Telephone: (510) 637-3500  
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Counsel for Defendant McGary  
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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,	)	No. CR 09-00958-SBA
	)	
12 Plaintiff,	)	ORDER OF CONTINUANCE AND
	)	EXCLUSION OF TIME UNDER THE
13 vs.	)	SPEEDY TRIAL ACT, 18 U.S.C. § 3161 <u>ET</u>
	)	<u>SEQ.</u>
14 ISAIAH MCGARY,	)	
	)	
15 Defendant.	)	
	)	

16  
17 **ORDER**

18 Based on the reasons provided in the stipulation of the parties above, the court hereby  
19 FINDS:


- 20 1. The ends of justice served by the granting of the continuance from September 28, 2010  
21 until November 16, 2010 outweigh the best interests of the public and the defendant in a speedy  
22 and public trial because new defense counsel is taking over the case as of September 1, 2010.  
23 Further, the Probation Office needs additional time to prepare a Report for the Court's review,  
24 due the theft of the original file in this case.
- 25 2. The proposed plea agreement remains under advisement by the Court.
- 26 3. Given the change in counsel and the Court's continued consideration of the proposed

1 plea agreement, additional time is needed for effective preparation of counsel, continuity of  
2 counsel, and consideration of the plea agreement by the court.

3 Based on these findings, IT IS HEREBY ORDERED that time be excluded under the  
4 speedy trial act, 18 U.S.C. §§ 3161(h)(1)(G) and 3161(h) (7)(A) and (B)(iv) from September 28,  
5 2010 until November 16, 2010.

6 IT IS FURTHER ORDERED that the SENTENCING AND CHANGE OF PLEA  
7 HEARING date of September 28, 2010, scheduled at 10:00 a.m., before the Honorable Saundra  
8 Brown Armstrong, be vacated and reset for November 16, 2010 at 10:00 a.m.

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10 DATED:9/16/10

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12 SAUNDRA BROWN ARMSTRONG  
13 United States District Judge  
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